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Representing Plaintiff Globe Turner, LLC

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA
CIVIL ACTION - LAW

GLOBE TURNER, LLC,
Plaintiff

v.

CONVERSATIONPRINTS, LLC,
Defendant

[____ Civ. ____](____)(____)]

COMPLAINT

JURY TRIAL DEMANDED

PRELIMINARY STATEMENT

1. Plaintiff Globe Turner, LLC (“Globe Turner”) brings this action seeking injunctive and monetary relief for Defendant ConversationPrints, LLC’s (“Conversationprints”) intentional infringement of Globe Turner’s copyright in Globe Turner’s cartographic content (the “Copyrighted Works”)

2. Globe Turner’s maps are used in a variety of products in print and online, especially those relating to travel and education, such as road atlases and decorative wall art.

3. Globe Turner is the successor in interest and copyright owner of the cartographic content created by MapQuest and GeoNova Publishing.

4. In addition to its ownership as successor, Globe Turner has used its own creative expression to update and modify such works to create the Copyrighted Works.

5. Globe Turner seeks all remedies afforded by the Copyright Act, including preliminary and permanent injunctive relief, Globe Turner's damages and Conversationprints' profits from its willfully infringing conduct, and other monetary relief.

JURISDICTION AND VENUE

6. This Court has jurisdiction over this copyright infringement action under 28 U.S.C. § 1338 and pursuant to the principles of supplemental jurisdiction under 28 U.S.C. § 1367.

7. Venue is proper in this district under 28 U.S.C. § 1400(a), because Conversationprints may be found in this district through its significant, continuous sales of the infringing works and other products to residents of this district.

PARTIES

8. Globe Turner, LLC (Plaintiff) is a limited liability company formed under the laws of Pennsylvania and does business in Lancaster, Pennsylvania with a business address of 1218 Kelley Drive, Lancaster, Pennsylvania 17601.

9. On information and belief, ConversationPrints, LLC (Defendant) is a limited liability company formed under the laws of Michigan and does business in Livonia, Michigan with a business address of 37481 Schoolcraft Rd, Livonia, Michigan 48150. Conversationprints is reproducing, distributing and publicly displaying the Plaintiff's Copyrighted Works without the Plaintiff's authorization.

FACTS

10. The Copyrighted Works were originally created by MapQuest and GeoNova Publishing.

11. Globe Turner became the successor in interest and copyright owner of the cartographic content created by Mapquest and GeoNova Publishing in May of 2012. As a result, Globe Turner is the owner of all copyright rights in the Copyrighted Works.

12. Globe Turner is the owner of valid and subsisting United States Copyright Registration No. VA 2-316-595 for the Copyrighted Works, issued by the United States Copyright Office on August 31, 2022. Attached as **Exhibit A** is a true and correct copy of the registration certificates (and assignment records) for Globe Turner's Registration No. VA 2-316-595, VA 2-316-598 and VA 2-316-599.

13. Globe Turner has published, distributed and displayed the Copyrighted Works by producing its content both in print and online, especially those relating to travel and education, such as road atlases and decorative wall art. This publication, distribution and display has been a tremendous success as Globe Turner has turned profits and continued to run a successful business for over a full decade using the Copyrighted Works. All public depictions of the Copyrighted Works are accompanied by an appropriate copyright notice indicating that Globe Turner is the owner of all rights in the work.

14. The Copyrighted Works is of significant value to Globe Turner because it is the essential component of the product that the business offers to consumers.

15. On information and belief, Conversationprints is engaged in the publishing, distribution, and display of maps and other images across the world as their primary business function.

16. Conversationprints has published, reproduced, publicly displayed and sold identical copies of the Copyrighted Works by selling these copies through Amazon.com, Etsy.com and Conversationprints.com. Attached hereto as **Exhibit B** are examples depicting Conversationprints' unlawful use of the Copyrighted Works.

17. Conversationprints' use of the Copyrighted Works is without Globe Turner's authorization, consent, or knowledge, and without any compensation to Globe Turner.

18. Since Conversationprints began exploiting the Copyrighted Works, it has used Amazon.com, Etsy.com and Conversationprints.com as its primary platforms to sell the unauthorized copies. On information and belief, Conversationprints continues to sell copies of the Copyrighted Works without Globe Turner's consent.

19. On information and belief, Conversationprints' identical copying and exploitation of the Copyrighted Works was willful, in disregard of, and with indifference to the rights of Globe Turner. On further information and belief, Conversationprints' intentional, infringing conduct was undertaken to reap the creative and artistic benefits and value associated with the Copyrighted Works. By failing to obtain Globe Turner's authorization to use the Copyrighted Works or to compensate Globe Turner for the use, Conversationprints has avoided payment of license fees and other financial costs associated with obtaining permission to exploit the Copyrighted Works, as well as the

restrictions that Globe Turner is entitled to and would place on any such exploitation as conditions for Globe Turner's permission, including the right to deny permission altogether.

20. On December 3, 2024, Globe Turner's counsel sent a cease and desist letter to Conversationprints objecting to Conversationprints' unauthorized reproduction, publication, distribution, public display and sale of the Copyrighted Works. Attached hereto as **Exhibit C** is a true and correct copy of Globe Turner's counsel's December 3, 2024 letter to Conversationprints'.

21. Upon information and belief, Conversationprints continues to distribute and sell the Copyrighted Works.

22. As a result of Conversationprints' actions described above, Globe Turner has been directly damaged, and is continuing to be damaged, by the unauthorized reproduction, publication, distribution, public display and sale of the Copyrighted Works. Conversationprints has never accounted to or otherwise paid Globe Turner for its use of the Copyrighted Works.

23. Conversationprints' acts are causing, and unless restrained, will continue to cause damage and immediate irreparable harm to Globe Turner for which Globe Turner has no adequate remedy at law.

COUNT I - FEDERAL COPYRIGHT INFRINGEMENT (17 U.S.C. § 501)

24. Globe Turner repeats and realleges paragraphs 1 through 24 hereof, as it fully set forth herein.

25. The Copyrighted Works is an original cartographic production containing copyrightable subject matter for which copyright protection exists under the Copyright Act, 17 U.S.C. § 101, et. seq. Globe Turner is the exclusive owner of rights under copyright in and to the Copyrighted Works. Globe Turner owns a valid copyright registration for the Copyrighted Works, attached as **Exhibit A**.

26. Through Conversationprints' conduct alleged herein, including Conversationprints' reproduction, distribution, public display and sale of the Copyrighted Works without Globe Turner's permission, Conversationprints has directly infringed Globe Turner's exclusive rights in the Copyrighted Works in violation of Section 501 of the Copyright Act, 17 U.S.C. § 501.

27. On information and belief, Conversationprints' infringing conduct alleged herein was, and continues to be, willful and with full knowledge of Globe Turner's rights in the Copyrighted Works and has enabled Conversationprints illegally to obtain profit therefrom.

28. As a direct and proximate result of Conversationprints' infringing conduct alleged herein, Globe Turner has been harmed and is entitled to damages in an amount to be proven at trial. Pursuant to 17 U.S.C. § 504(b), Globe Turner is also entitled to recovery of Conversationprints' profits attributable to Conversationprints' infringing conduct alleged herein, including from any and all sales of the Copyrighted Works and products incorporating or embodying the Copyrighted Works, and an accounting of and a constructive trust with respect to such profits.

29. Alternatively, Globe Turner is entitled to the maximum statutory damages pursuant to 17 U.S.C. § 504(c).

30. Globe Turner further is entitled to its attorney's fees and costs pursuant to 17 U.S.C. § 505.

31. As a direct and proximate result of Conversationprints' infringing conduct alleged herein, Globe Turner has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. On information and belief, unless Conversationprints' infringing conduct is enjoined by this Court, Conversationprints will continue to infringe the Copyrighted Works. Globe Turner therefore is entitled to preliminary and permanent injunctive relief restraining and enjoining Conversationprints' ongoing infringing conduct.

32. WHEREFORE, Plaintiff Globe Turner, LLC requests judgment against Defendant ConversationPrints, LLC as follows:

1. That Conversationprints has violated Section 501 of the Copyright Act (17 U.S.C. § 501).

2. Granting an injunction temporarily, preliminarily and permanently enjoining Conversationprints, its employees, agents, officers, directors, attorneys, successors, affiliates, subsidiaries, and assigns, and all of those in active concert and participation with any of the foregoing persons and entities who receive actual notice of the Court's order by personal service or otherwise, from:

a. Manufacturing, distributing, marketing, advertising, promoting, displaying, performing, or selling, or authorizing any third party to

manufacture, distribute, market, advertise, promote, display, perform, or sell the Copyrighted Works and any products, works, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works, and

- b. aiding, assisting, or abetting any other individual or entity in doing any act prohibited by sub-paragraph (a).

3. That Conversationprints be ordered to provide an accounting of their profits attributable to their infringing conduct, including Conversationprints' profits from sales and any other exploitation of the Copyrighted Works, and any products, works, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works.

4. That Conversationprints be ordered to destroy or deliver up for destruction all materials in their possession, custody, or control used by Conversationprints in connection with Conversationprints' infringing conduct, including without limitation all remaining copies of the Copyrighted Works and any products and works that embody any reproduction or other copy, or colorable imitation of the Copyrighted Works, as well as all means for manufacturing them.

5. That Conversationprints, at its own expense, be ordered to recall the Copyrighted Works from any distributors, retailers, vendors, or others that have distributed the Copyrighted Works on Conversationprints' behalf, and any products, work, or other materials that include, copy, are derived from, or otherwise embody the

Copyrighted Works, and that Conversationprints be ordered to destroy or deliver up for destruction all materials returned to it.

6. Awarding Globe Turner:

- a. Conversationprints' profits obtained as a result of their infringing conduct, including but not limited to all profits from sales and other exploitation of the Copyrighted Works and any products, works, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works, or in the Court's discretion, such amount as the Court finds to be just and proper,
- b. damages sustained by Globe Turner as a result of Conversationprints' infringing conduct, in an amount to be proven at trial,
- c. should Globe Turner so elect, statutory damages pursuant to 17 U.S.C. § 504 (c) instead of actual damages or profits; and
- d. Globe Turner's reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505.

7. Awarding Globe Turner interest, including pre-judgment and post-judgment interest, on the foregoing sums.

8. Awarding such other and further relief as the Court deems just and proper.

PRAYER FOR RELIEF

Globe Turner prays for relief in the form of judgment on the copyright infringement claim.

Globe Turner prays for relief in the form of granting an injunction temporarily, preliminarily and permanently enjoining Conversationprints, its employees, agents, officers, directors, attorneys, successors, affiliates, subsidiaries, and assigns, and all of those in active concert and participation with any of the foregoing persons and entities who receive actual notice of the Court's order by personal service or otherwise, from:

- a. Manufacturing, distributing, marketing, advertising, promoting, displaying, performing, or selling, or authorizing any third party to manufacture, distribute, market, advertise, promote, display, perform, or sell the Copyrighted Works and any products, works, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works, and
- b. aiding, assisting, or abetting any other individual or entity in doing any act prohibited by sub-paragraph (a).

Globe Turner prays for relief in the form of Conversationprints being ordered to provide an accounting of their profits attributable to their infringing conduct, including Reliable's profits from sales and any other exploitation of the Copyrighted Works, and any products, works, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works.

Globe Turner prays for relief in the form of Conversationprints be ordered to destroy or deliver up for destruction all materials in their possession, custody, or control used by Conversationprints in connection with Conversationprints' infringing conduct,

including without limitation all remaining copies of the Copyrighted Works and any products and works that embody any reproduction or other copy, or colorable imitation of the Copyrighted Works, as well as all means for manufacturing them.

Globe Turner prays for relief in the form of Conversationprints, at its own expense, be ordered to recall the Copyrighted Works from any distributors, retailers, vendors, or others that have distributed the Copyrighted Works on Conversationprints' behalf, and nay products, work, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works, and that Conversationprints' be ordered to destroy or deliver up for destruction all materials returned to it.

Globe Turner prays for relief in the form of awarding Globe Turner:

- a. Conversationprints' profits obtained as a result of their infringing conduct, including but not limited to all profits from sales and other exploitation of the Copyrighted Works and any products, works, or other materials that include, copy, are derived from, or otherwise embody the Copyrighted Works, or in the Court's discretion, such amount as the Court finds to be just and proper,
- b. damages sustained by Globe Turner as a result of Conversationprints' infringing conduct, in an amount to be proven at trial
- c. should Globe Turner so elect, statutory damages pursuant to 17 U.S.C. § 504 (c) instead of actual damages or profits; and

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- d. Globe Turner's reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505.

Globe Turner prays for relief in the form of awarding Globe Turner interest, including pre-judgment and post-judgment interest, on the foregoing sums.

Globe Turner prays for relief in the form of awarding such other and further relief as the Court deems just and proper.

Date: 12/6/24

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